Notice of Allowability    Application No.   10/780,9006   OH ET AL	•.			TH
Examiner		Application No.	Applicant(s)	
The MAILING DATE of this communication appears on the cover sheet with the correspondence address—All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-86) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.  1. ☑ This communication is responsive to genediment filed on 10/31/2007.  2. ☑ The allowed claim(s) is/are 1-8.10 and 23.  3. ☑ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)(d) or (f).  a) ☑ All b) ☑ Some* c) ☑ None of the:  1. ☑ Certified copies of the priority documents have been received.  2. ☑ Certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).  * Certified copies not received:	Notice of Allowability			
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2.	All claims being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85 NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT R of the Office or upon petition by the applicant. See 37 CFR 1.313	(OR REMAINS) CLOSED in this apply or other appropriate communication (IGHTS). This application is subject to 3 and MPEP 1308.	plication. If not includ will be mailed in due	ed course. <b>THIS</b>
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Attachment(s)  1. Notice of References Cited (PTO-892)  2. Notice of Draftperson's Patent Drawing Review (PTO-948)  3. Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date 71105  4. Examiner's Comment Regarding Requirement for Deposit  5. Notice of Informal Patent Application  6. Interview Summary (PTO-413), Paper No./Mail Date  7. Examiner's Amendment/Comment	a) All b) Some* c) None of the:  1. Certified copies of the priority documents have 2. Certified copies of the priority documents have 3. Copies of the certified copies of the priority do International Bureau (PCT Rule 17.2(a)).  * Certified copies not received:  Applicant has THREE MONTHS FROM THE "MAILING DATE" noted below. Failure to timely comply will result in ABANDONN THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.  4. A SUBSTITUTE OATH OR DECLARATION must be subm INFORMAL PATENT APPLICATION (PTO-152) which giv  5. CORRECTED DRAWINGS ( as "replacement sheets") mus (a) including changes required by the Notice of Draftspers 1) hereto or 2) to Paper No./Mail Date (b) including changes required by the attached Examiner' Paper No./Mail Date  Identifying indicia such as the application number (see 37 CFR 1 each sheet. Replacement sheet(s) should be labeled as such in the composition of the deposition of	e been received. e been received in Application No cuments have been received in this of this communication to file a reply MENT of this application.  nitted. Note the attached EXAMINER' es reason(s) why the oath or declara st be submitted. son's Patent Drawing Review ( PTO s Amendment / Comment or in the Co 1.84(c)) should be written on the drawing the header according to 37 CFR 1.121(c) sit of BIOLOGICAL MATERIAL In	national stage applical complying with the red 'S AMENDMENT or Nation is deficient.  948) attached office action of the distance in the front (not the distance).	quirements OTICE OF
9. ☐ Other ORI NADAV	Attachment(s)  1. ☐ Notice of References Cited (PTO-892)  2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)  3. ☑ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date	<ul> <li>5. ☐ Notice of Informal P</li> <li>6. ☐ Interview Summary Paper No./Mail Dat</li> <li>7. ☒ Examiner's Amendal</li> <li>8. ☐ Examiner's Statement</li> </ul>	atent Application (PTO-413), enent/Comment ent of Reasons for Allo	ewance

Art Unit: 2811

## **DETAILED ACTION**

## Election/Restrictions

1. Claim 1 is allowable. The species restriction requirement, as set forth in the Office action mailed on 10/01/2004, has been reconsidered in view of the allowability of claims to the elected invention pursuant to MPEP § 821.04(a). The restriction requirement is hereby withdrawn as to any claim that requires all the limitations of an allowable claim. Claims 3, 4 and 10, directed to the embodiment of figures 2-3 no longer withdrawn from consideration because the claim(s) requires all the limitations of an allowable claim.

In view of the above noted withdrawal of the restriction requirement, applicant is advised that if any claim presented in a continuation or divisional application is anticipated by, or includes all the limitations of, a claim that is allowable in the present application, such claim may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application.

Once a restriction requirement is withdrawn, the provisions of 35 U.S.C. 121 are no longer applicable. See *In re Ziegler*, 443 F.2d 1211, 1215, 170 USPQ 129, 131-32 (CCPA 1971). See also MPEP § 804.01.

2. This application is in condition for allowance except for the presence of claims 11-22 directed to non-elected embodiment without traverse. Accordingly, claims 11-22 have been cancelled.

Application/Control Number: 10/780,606

Art Unit: 2811

Examiner's Amendment

Please cancel claims 11-22.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Ori Nadav whose telephone number is 571-272-1660.

The examiner can normally be reached between the hours of 7 AM to 4 PM (Eastern

Standard Time) Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Lynne Gurley can be reached on 571-272-1670. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published

applications may be obtained from either Private PAIR or Public PAIR. Status

information for unpublished applications is available through Private PAIR only. For

more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

O.N. 12/24/07 ORI NADAV
PRIMARY EXAMINER
TECHNOLOGY CENTER 2800

May

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